

Image



PATENT / DOCKET NO.: 10287.39
CUSTOMER NO.: 000027683

1034

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Masayuki Machida, et al.

Serial No. 09/744,146

Filed: March 29, 2001

For: LABELED COMPLEX, PROCESS
FOR PRODUCING SAME AND
PROCESS FOR UTILIZING SAME

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§

Group Art Unit: 1634

Examiner: Sisson, Bradley L.

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following for the above identified patent:

1. Power of Attorney by Assignee; Certification Under 37 C.F.R. §3.73(b) with attached assignments cited therein;
2. Statement of Small Entity Status Under 37 C.F.R. §1.27(c) with attached assignments cited therein; and
3. a return postcard.

No fees are believed due for the filing of the present documents, however, should any fees be deemed necessary, the Commissioner is hereby authorized to charge any fees which may be required to Deposit Account 08-1394.

Respectfully submitted,

Gloria L. Norberg

Gloria L. Norberg
Registration No. 36,706

Date: September 26, 2003
Haynes and Boone, LLP
901 Main Street, Suite 3100
Dallas, TX 75202-3789
(512) 867-8528
(512) 867-8632 – Fax

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
<u>09/26/03</u>	
DATE	<u>Julie Schwartz</u>
TYPE OR PRINT NAME	
<u>Julie Schwartz</u>	
SIGNATURE	



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**POWER OF ATTORNEY BY ASSIGNEE;
CERTIFICATION UNDER 37 C.F.R. §3.73(b)**

As the undersigned representative of the Assignee, National Institute of Advanced Industrial Science and Technology, a Japanese nonprofit corporation, I hereby revoke all powers of attorney previously given and hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

David L. McCombs (Reg. No. 32,271); Michael J. Balconi-Lamica (Reg. No. 34,291); Jeffrey M. Becker (Reg. No. 35,442); James R. Bell (Reg. No. 26,528); Timothy F. Bliss (Reg. No. 50,925); Randall C. Brown (Reg. No. 31,213); Randall E. Colson (Reg. No. 40,566); Michael A. Davis, Jr. (Reg. No. 35,488); Ruben C. DeLeon (Reg. No. 37,812); Andrew S. Ehmke (Reg. No. 50,271); Brian J. Hubbard (Reg. No. 45,873); Rita M. Irani (Reg. No. 31,028); Warren B. Kice (Reg. No. 22,732); J. Andrew Lowes (Reg. No. 40,706); Todd Mattingly (Reg. No. 40,298); John Montgomery (Reg. No. 31,124); Gloria L. Norberg (Reg. No. 36,706); David M. O'Dell (Reg. No. 42,044); and Richard V. Wells (Reg. No. P-53,757).

Please address all correspondence and telephone calls regarding this application to:

Customer No.: 027683
Gloria L. Norberg
Agent for Applicants
Haynes and Boone, LLP
901 Main Street, Suite 3100
Dallas, TX 75202-3789
(512) 867-8528
(512) 867-8632 – Fax

The undersigned representative of the above-identified assignee certifies that the above-identified assignee is the assignee of the entire right, title and interest in the above cited patent

application by virtue of a chain of title from the inventors to the above-identified assignee as shown by the following documents:

Assignment from Masayuki Machida and Hideji Tajima to Japan as represented by Director-General of Agency of Industrial Science and Technology dated March 9 and 12, 2001.

Assignment from the Director-General of Agency of Industrial Science and Technology to National Institute of Advanced Industrial Science and Technology dated May 7, 2003.

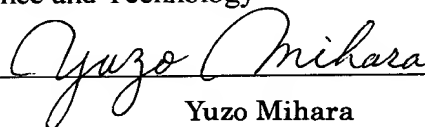
Copies of the above-listed assignments in the chain of title are attached hereto.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the above-identified assignee.

The undersigned hereby declares that all statements made herein of the undersigned's own knowledge are true; and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

National Institute of Advanced Industrial
Science and Technology

September 11, 2003
Date


Name: Yuza Mihara
Title: Director, Intellectual Property Division



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	§	
Serial No. 09/744,146	§	
	§	Examiner: Sisson, Bradley L.
Filed: March 29, 2001	§	
	§	
For: Labeled complex, process	§	
for producing same and	§	
process for utilizing	§	
same	§	

STATEMENT OF SMALL ENTITY STATUS UNDER 37 C.F.R. §1.27(c)

The assignee of the above cited patent application is the National Institute of Advanced Industrial Science and Technology by virtue of a chain of title from the inventors to the above-identified assignee as shown by the following documents:

Assignment from Masayuki Machida and Hideji Tajima to Japan as represented by Director-General of Agency of Industrial Science and Technology dated March 9 and 12, 2001.

Assignment from the Director-General of Agency of Industrial Science and Technology to National Institute of Advanced Industrial Science and Technology dated May 7, 2003.

Copies of the above-listed assignments in the chain of title are attached hereto.

The National Institute of Advanced Industrial Science and Technology is a Japanese nonprofit corporation and qualifies as a Small Entity for purposes of paying Patent Office fees according to 37 CFR 1.27 (a)(3). The present paper is an assertion of entitlement to small entity status on the part of the National Institute of Advanced Industrial Science and Technology according to 37 CFR 1.27(c).

The undersigned representative is empowered to sign this Statement on behalf of the above-identified assignee and acknowledges the duty to file, in this application or patent, notification of any changes in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28).

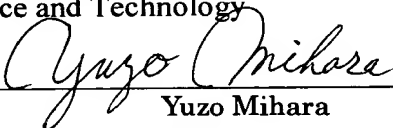
The undersigned hereby declares that all statements made herein of the undersigned's own knowledge are true; and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section

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1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

National Institute of Advanced Industrial
Science and Technology

September 11, 2003
Date


Name: Yuzo Mihara
Title: Director, Intellectual Property Division

Attachments: Assignments dated March 9 and 12, 2001 and May 7, 2003

ASSIGNMENT

WHEREAS, WE,

- (1) Masayuki MACHIDA of Tsukuba-shi, Japan
 (2) Hideji TAJIMA of Tokyo, Japan

have invented certain improvements in

LABELED COMPLEX, PROCESS FOR PRODUCING SAME AND PROCESS FOR UTILIZING SAME

and filed a United States National Phase patent application based upon PCT/JP99/03824, filed July 15, 1999.

WHEREAS, the country of JAPAN as represented by Director-General of Agency of Industrial Science and Technology, having a place of business at 3-1, Kasumigaseki 1-Chome, Chiyoda-ku, Tokyo, 100-8921, Japan; PRECISION SYSTEM SCIENCE CO., LTD., a Japanese Corporation having a place of business at 1843-1 Yanokuchi, Inagi-shi, Tokyo 206-0812 Japan; and MASAYUKI MACHIDA, a Japanese individual of c/o Molecular Biology Department National Institute of Bioscience and Human Technology, 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken 305-0046, Japan (hereinafter called ASSIGNEE), desires to acquire the entire right, title and interest in the application and invention, and to any United States and foreign patents to be obtained therefor;

NOW, THEREFORE, for a valuable consideration, receipt whereof is hereby acknowledged, We, the above named, hereby acknowledge my prior existing obligation and hereby sell, assign, and transfer to ASSIGNEE its successors and assigns, the entire right, title, and interest in the application and invention therein disclosed for the United States and foreign countries, to and under the said improvements; and the said application and all divisionals, renewals, continuing applications thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to ASSIGNEE its successors and assigns; and we hereby agree that ASSIGNEE may apply for foreign Letters Patent on the invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by ASSIGNEE.

Signed By: Masayuki Machida
 (1) Masayuki MACHIDA

March 12, 2001
 Date

Witnessed By: Mayoko Tsukamoto
 Name: Mayoko Tsukamoto

March 12, 2001
 Date

Signed By: Hideji Tajima
 (2) Hideji TAJIMA

March 9, 2001
 Date

Witnessed By: Akiro Hashimoto
 Name: AKIRO HASHIMOTO

March 9, 2001
 Date

ASSIGNMENT

The Country of JAPAN as represented by the Director-General of Agency of Industrial Science and Technology, having a place of business at 3-1, Kasumigaseki 1-chome, Chiyoda-ku, Tokyo 100-8921, hereby assigns its entire right, title and interest in U.S. Patent Application No. 09/744,146 and the invention disclosed and claimed therein, and to any United States and foreign patents to be obtained therefor to National Institute of Advanced Industrial Science and Technology, having a place of business at 3-1, Kasumigaseki 1-chome, Chiyoda-ku, Tokyo 100-8921, Japan.

Signed by: Kenichi Hatori May 7, 2003
Date

Name: Kenichi HATORI

Title: Director of IP Division

Witnessed by: Kayoko Tsukamoto May 7, 2003
Date

Name: Kayoko Tsukamoto